IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. 5840 OF 2006.

Mohan Yallappa Taral ..Petitioner
V/s
Vidya Prasarak Mandal & Others ..Respondents.

Mr. S.S. Pakale for the petitioner.
Mr.R.D. Rane G.P. for respondent No.5.

CORAM : B.H. MARLAPALLE &
J.H. BHATIA, JJ.

DATE : 1ST DECEMBER, 2006.

P.C.

. Undoubtedly, the petitioner has a remedy of appeal under Maharashtra Universities Act, 1994 and when such a statutory remedy of appeal is available, we should not entertain this petition under Article 226 of the Constitution of India challenging the order of termination dated 17th April, 2006.

2. Hence, the petition is disposed by relegating the petitioner to the alternative remedy of appeal before the University and College Tribunal.

3. If there is an issue of limitation, the period

of pendency of this petition from 10th August, 2006 till today shall be taken into consideration by the Tribunal.

(J.H. BHATIA, J.) **(B.H. MARLAPALLE, J.)**